

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

PATRICIA GONZALEZ AND JOHN
GONZALEZ,

Plaintiffs,

v.

LIVE NATION WORLDWIDE, INC.,
AND LIVE NATION
ENTERTAINMENT, INC.,

Defendants.

Civil Action No. _____

INDEX OF DOCUMENTS IN STATE COURT ACTION

Pursuant to 28 U.S.C. § 1447(b) and LR 81.1(a)(4), attached hereto are the following true and correct copies of each document filed in the 134th Judicial District Court of Dallas County, Texas in Cause No. DC-24-09975 (except for discovery material) and related Civil Docket Sheet:

DOCUMENT	FILE MARK/DATED
1.2 - Plaintiff's Original Petition	July 8, 2024
1.3 - Citation of Service – Live Nation Worldwide, Inc.	July 16, 2024
1.4 - Citation of Service – Live Nation Entertainment, Inc.	July 16, 2024
1.5 - Service of Process Notice to Live Nation Worldwide, Inc.	July 22, 2024
1.6 - Service of Process Notice to Live Nation Entertainment, Inc.	July 22, 2024
1.7 - Return of Service – Registered Agent	July 23, 2024
1.8 - Defendants' Original Answer	August 5, 2024
1.9 - Civil Docket Sheet	August 19, 2024

Respectfully submitted,

[SIGNATURE BLOCK ON NEXT PAGE]

FEE, SMITH & SHARP, LLP

Thomas W. Fee

THOMAS W. FEE

State Bar No. 06873160
Three Galleria Tower
13155 Noel Road, Suite 1000
Dallas, Texas 75240
(972) 934-9100
(972) 934-9200 [FAX]
tfee@feesmith.com

***ATTORNEYS FOR DEFENDANTS LIVE
NATION WORLDWIDE, INC., AND LIVE
NATION ENTERTAINMENT, INC.,***

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 19th day of August, 2024, I electronically filed the foregoing document with the Clerk of the Court for the U.S. District Court, Northern District – Dallas Division, using the electronic case filing system of the Court. Based on the electronic records currently on file, the Clerk of the Court will transmit a Notice of Electronic Filing to the following ECF registrants:

Christopher J. Arnell
Chris@arnelllaw.com
ARNELL LAW, PLLC
450 Century Pkwy, Suite 250
Allen, TX 75013
Telephone: (972) 516-4385

Thomas W. Fee

THOMAS W. FEE

CAUSE NO. DC-24-09975

**PATRICIA GONZALEZ, and JOHN
GONZALEZ**

IN THE DISTRICT COURT

Plaintiffs,

V.

DALLAS COUNTY, TEXAS

**LIVE NATION WORLDWIDE, INC., and
LIVE NATION ENTERTAINMENT, INC.**

Defendants.

JUDICIAL DISTRICT

Plaintiffs' Original Petition

Patricia Gonzalez and John Gonzalez (“Plaintiffs”) file their Original Petition against Live Nation Worldwide, Inc. and Live Nation Entertainment, Inc., (“Defendants”) and in support thereof would show the Court as follows:

I. DISCOVERY CONTROL PLAN AND JURY REQUEST

1. Plaintiffs intends to conduct discovery under Level 2 pursuant Texas Rules of Civil Procedure 190.3. Plaintiffs also requests a jury trial in this Cause.

II. PARTIES

2. Plaintiff Patricia Gonzalez is an individual residing in Tarrant County, Texas.
3. Plaintiff John Gonzalez is an individual residing in Tarrant County, Texas.
4. Defendant Live Nation Worldwide, Inc. is a foreign entity organized under the laws of Delaware. Defendant can be served via its registered agent, CORPORATE CREATIONS

NETWORK INC., at 5444 WESTHEIMER, #1000, HOUSTON, TX 77056.

5. Defendant Live Nation Entertainment, Inc., is a foreign entity organized under the laws of Delaware. Defendant can be served via its registered agent, CORPORATE CREATIONS NETWORK INC., at 5444 WESTHEIMER, #1000, HOUSTON, TX 77056.

III. JURISDICTION AND VENUE

6. This Court has jurisdiction over the subject matter of this case because the amount in controversy exceeds this Court's minimum jurisdictional requirements.

7. This Court has personal jurisdiction over the Defendants because Defendants conducted business in this state by providing entertainment services in Dallas County and throughout Texas.

8. Venue for this case is proper in Dallas County, Texas because all or a substantial part of the events or omissions giving rise to the claim occurred in Dallas County.

9. Plaintiffs seeks monetary relief over \$250,000 but not more than \$1,000,000. *See* Tex. R. Civ. P. 47(c)(3).

IV. FACTS

10. On August 4, 2022, Plaintiffs attended a concert hosted by Defendants at the Dos Equis Pavilion in Dallas, Texas. Plaintiffs were providing food catering services for one of the sponsors of the event. Plaintiffs were provided special VIP wristbands that allowed Plaintiffs to view the event in a private area. Defendants' security personnel controlled who could enter the VIP area. During the concert, Plaintiff John Gonzalez left the VIP area because Defendants' security personnel would not allow one of Plaintiffs' employees into the VIP area, despite the fact the employee had the appropriate credentials and was in the VIP area minutes prior. Plaintiff John Gonzalez attempted to resolve the issue; however, Defendants' security guards accosted Mr.

Gonzalez and physically assaulted him. While Defendants' employees were assaulting Mr. Gonzalez, Mrs. Gonzalez attempted to intervene and asked for her husband to be released. Defendants' security personnel then physically assaulted Plaintiff Patricia Gonzalez, causing her to sustain injuries to her leg.

V. CAUSES OF ACTION

11. Plaintiffs incorporate by reference the factual allegations contained in the preceding paragraphs.

A. Assault

12. Texas law provides a civil cause of action for victims of assault.¹ A person commits an assault if he intentionally or knowingly causes physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative.²

13. Here, Defendants' employees physically assaulted Plaintiffs during the event in question. As a result, Plaintiffs sustained physically injuries. Defendants are vicariously liable for the conduct of their employees.

B. Negligent Hiring, Retention, and Supervision

14. Defendants failed to adequately investigate and screen its employees prior to hiring. Further, Defendants failed to adequately train and supervise its employees providing security services at Defendants' concerts. Defendants' failure to investigate, screen, train, and supervise its employees proximately caused Plaintiffs' injuries.

¹ See *Umana v. Kroger Tex., L.P.*, 239 S.W.3d 434, 436 (Tex. App.—Dallas 2007, no pet.).

² *Id.* (citing Tex. Pen.Code Ann. § 22.01(a)(3)).

VI. DAMAGES

15. Plaintiffs are entitled to the following damages:

- a. Economic damages;
- b. Mental anguish damages;
- c. Physical impairment;
- d. Physical disfigurement;
- e. Exemplary damages,
- f. Court costs and fees;
- g. Prejudgment and postjudgment interests; and

VII. PRAYER

Plaintiffs prays that Defendants be cited to appear and answer, and that on final trial, Plaintiffs be granted a judgment against Defendants for a sum of money in excess of minimum jurisdictional limits of this Court or such other sum which the trier of fact determines is just and fair plus pre and post judgment interest at the maximum legal rate until paid in full, and for all cost of Court incurred in the prosecution of this action, and for such other and further relief to which Plaintiffs may show themselves justly entitled whether at law or in equity.

Respectfully submitted,

ARNELL LAW, PLLC
450 Century Parkway
Suite 250
Allen, Texas 75013
Telephone: (972) 516-4385

By: /s/ Chris Arnell
Chris Arnell
State Bar No. 24104322
Chris@arnelllaw.com

ATTORNEY FOR PLAINTIFF

FORM NO. 353-3—CITATION
THE STATE OF TEXAS

To: **LIVE NATION WORLDWIDE, INC.**
REGISTERED AGENT CORORATE CREATIONS NETWORK INC
5444 WESTHEIMER # 1000
HOUSTON TX 77056

RESERVE
CITATION

No.: **DC-24-09975**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org. Your answer should be addressed to the clerk of the **134th District Court** at 600 Commerce Street, Dallas, Texas 75202.

Said Plaintiff being **PATRICIA GONZALEZ; JOHN GONZALEZ**

Filed in said Court **8th day of July, 2024** against

LIVE NATION WORLDWIDE, INC.; LIVE NATION ENTERTAINMENT, INC.

For Suit, said suit being numbered **DC-24-09975**, the nature of which demand is as follows:

Suit on **OTHER PERSONAL INJURY** etc. as shown on said petition, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.

Given under my hand and the Seal of said Court at office **on this the 16th day of July, 2024**

ATTEST: FELICIA PITRE,

Clerk of the District Courts of Dallas County, Texas

**DALLAS COUNTY
SERVICE FEES
NOT PAID**



By Brittany Foreman, Deputy
BRITTANY FOREMAN

PATRICIA GONZALEZ, et al
vs.
LIVE NATION WORLDWIDE, INC., et al

ISSUED
on this the 16th day of July, 2024

By: **BRITTANY FOREMAN**, Deputy

Attorney for Plaintiff
CHRISTOPHER J ARNELL
450 CENTURY PKWY STE 250
ALLEN TX 75013-8136
972-516-4385
CHRIS@ARNELLAW.COM

OFFICER'S RETURN

Cause No. DC-24-09975

Court No.: 134th District Court

Style: PATRICIA GONZALEZ, et al

vs.

LIVE NATION WORLDWIDE, INC., et al

Came to hand on the _____ day of _____, 20 _____, at _____ o'clock _____ M. Executed at _____, within the County of _____, 20 _____, by delivering to the within named _____.

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation	\$ _____	County, _____
For mileage	\$ _____	of _____
For Notary	\$ _____	By _____ Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20 _____, to certify which witness my hand and seal of office.

Notary Public _____ County _____

FORM NO. 353-3—CITATION
THE STATE OF TEXAS

To: **LIVE NATION ENTERTAINMENT, INC.**
REGISTERED AGENT CORPORATE CREATIONS NETWORK INC
5444 WESTHEIMER # 1000
HOUSTON TX 77056

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org. Your answer should be addressed to the clerk of the **134th District Court** at 600 Commerce Street, Dallas, Texas 75202.

Said Plaintiff being **PATRICIA GONZALEZ; JOHN GONZALEZ**

Filed in said Court **8th day of July, 2024** against

LIVE NATION WORLDWIDE, INC.; LIVE NATION ENTERTAINMENT, INC.

For Suit, said suit being numbered **DC-24-09975**, the nature of which demand is as follows:
Suit on **OTHER PERSONAL INJURY** etc. as shown on said petition, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office **on this the 16th day of July, 2024**

ATTEST: FELICIA PITRE,
Clerk of the District Courts of Dallas County, Texas

By *Brittany Foreman*, Deputy
BRITTANY FOREMAN



OFFICER'S RETURN

Cause No. DC-24-09975

Court No.: 134th District Court

Style: PATRICIA GONZALEZ, et al
vs.

LIVE NATION WORLDWIDE, INC., et al

Came to hand on the _____ day of _____, 20 _____, at _____ o'clock _____ M.
Executed at _____, within the County of _____, at _____
o'clock _____. M. on the _____ day of _____, 20 _____, by delivering to the within named

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation	\$ _____	County, _____
For mileage	\$ _____	of _____
For Notary	\$ _____	By _____ Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20 _____, to certify which witness my hand and seal of office.

Notary Public _____ County _____



Corporate Creations Network Inc.

801 US Highway 1 North Palm Beach, FL 33408

Live Nation Worldwide, Inc.
 Kimberly Tobias Senior Vice President Litigation
 Live Nation
 9348 Civic Center Drive
 Beverly Hills CA 90210

July 22, 2024

SERVICE OF PROCESS NOTICE

The following is a courtesy summary of the enclosed document(s). **ALL information should be verified by you.**

Item: 2024-849

Note: Any questions regarding the substance of the matter described below, including the status or how to respond, should be directed to the contact set forth in line 12 below or to the court or government agency where the matter is being heard. **IMPORTANT:** All changes or updates to the SOP contact individuals or their contact information must be submitted in writing to SOPcontact@corpcreations.com. Any changes will become effective upon written confirmation of Corporate Creations.

1.	Entity Served:	Live Nation Worldwide, Inc.
2.	Title of Action:	Patricia Gonzalez, et al vs. Live Nation Worldwide, Inc., et al
3.	Document(s) Served:	Citation Officer's Return Plaintiff's Original Petition
4.	Court/Agency:	Dallas County District Court
5.	State Served:	Texas
6.	Case Number:	DC-24-09975
7.	Case Type:	Battery/Assault
8.	Method of Service:	Hand Delivered
9.	Date Received:	Friday 07/19/2024
10.	Date to Client:	Monday 07/22/2024
11.	# Days When Answer Due: Answer Due Date:	See Notes <small>CAUTION: Client is solely responsible for verifying the accuracy of the estimated Answer Due Date. To avoid missing a crucial deadline, we recommend immediately confirming in writing with opposing counsel that the date of the service in their records matches the Date Received.</small>
12.	Sop Sender: (Name, City, State, and Phone Number)	Arnell Law, PLLC Allen, TX 972-516-4385
13.	Shipped To Client By:	Email Only with PDF Link
14.	Tracking Number:	
15.	Handled By:	441
16.	Notes:	Please note the answer is due by 10:00am on the Monday next following the expiration of twenty (20) days after service

NOTE: This notice and the information above is provided for general informational purposes only and should not be considered a legal opinion. The client and their legal counsel are solely responsible for reviewing the service of process and verifying the accuracy of all information. At Corporate Creations, we take pride in developing systems that effectively manage risk so our clients feel comfortable with the reliability of our service. We always deliver service of process so our clients avoid the risk of a default judgment. As registered agent, our role is to receive and forward service of process. To decrease risk for our clients, it is not our role to determine the merits of whether service of process is valid and effective. It is the role of legal counsel to assess whether service of process is invalid or defective. Registered agent services are provided by Corporate Creations Network Inc.

FORM NO. 353-3—CITATION
THE STATE OF TEXAS

To: LIVE NATION WORLDWIDE, INC.
REGISTERED AGENT CORORATE CREATIONS NETWORK INC
5444 WESTHEIMER # 1000
HOUSTON TX 77056

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org. Your answer should be addressed to the clerk of the **134th District Court** at 600 Commerce Street, Dallas, Texas 75202.

Said Plaintiff being **PATRICIA GONZALEZ; JOHN GONZALEZ**

Filed in said Court **8th day of July, 2024** against

LIVE NATION WORLDWIDE, INC.; LIVE NATION ENTERTAINMENT, INC.

For Suit, said suit being numbered **DC-24-09975**, the nature of which demand is as follows:
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WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office on this the **16th day of July, 2024**

ATTEST: FELICIA PITRE,
Clerk of the District Courts of Dallas County, Texas

Brittany Foreman
By Brittany Foreman, Deputy
BRITTANY FOREMAN

ESERVE
CITATION

No.: DC-24-09975

PATRICIA GONZALEZ, et al

vs.

LIVE NATION WORLDWIDE, INC., et al

ISSUED

on this the 16th day of July, 2024

FELICIA PITRE
Clerk District Courts,
Dallas County, Texas

By: BRITTANY FOREMAN, Deputy

Attorney for Plaintiff
CHRISTOPHER J ARNELL
450 CENTURY PKWY STE 250
ALLEN TX 75013-8136
972-516-4385
CHRIS@ARNELLAW.COM

DALLAS COUNTY
SERVICE FEES
NOT PAID



OFFICER'S RETURN

Cause No. DC-24-09975

Court No.: 134th District Court

Style: PATRICIA GONZALEZ, et al

vs.

LIVE NATION WORLDWIDE, INC., et al

Came to hand on the _____ day of _____, 20_____, at _____ o'clock _____ M.
Executed at _____, within the County of _____, at _____
o'clock _____. M. on the _____ day of _____, 20_____, by delivering to the within named

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation	\$ _____	of _____ County, _____
For mileage	\$ _____	By _____ Deputy
For Notary	\$ _____	

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20_____, to certify which witness my hand and seal of office.

Notary Public _____ County _____

DC-24-09975

CAUSE NO. _____

**PATRICIA GONZALEZ, and JOHN
GONZALEZ**

IN THE DISTRICT COURT

Plaintiffs,

v.

DALLAS COUNTY, TEXAS

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LIVE NATION ENTERTAINMENT, INC.**

Defendants.

JUDICIAL DISTRICT

Plaintiffs' Original Petition

Patricia Gonzalez and John Gonzalez (“Plaintiffs”) file their Original Petition against Live Nation Worldwide, Inc. and Live Nation Entertainment, Inc., (“Defendants”) and in support thereof would show the Court as follows:

I. DISCOVERY CONTROL PLAN AND JURY REQUEST

1. Plaintiffs intends to conduct discovery under Level 2 pursuant Texas Rules of Civil Procedure 190.3. Plaintiffs also requests a jury trial in this Cause.

II. PARTIES

2. Plaintiff Patricia Gonzalez is an individual residing in Tarrant County, Texas.
3. Plaintiff John Gonzalez is an individual residing in Tarrant County, Texas.
4. Defendant Live Nation Worldwide, Inc. is a foreign entity organized under the laws of Delaware. Defendant can be served via its registered agent, CORPORATE CREATIONS

NETWORK INC., at 5444 WESTHEIMER, #1000, HOUSTON, TX 77056.

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III. JURISDICTION AND VENUE

6. This Court has jurisdiction over the subject matter of this case because the amount in controversy exceeds this Court's minimum jurisdictional requirements.

7. This Court has personal jurisdiction over the Defendants because Defendants conducted business in this state by providing entertainment services in Dallas County and throughout Texas.

8. Venue for this case is proper in Dallas County, Texas because all or a substantial part of the events or omissions giving rise to the claim occurred in Dallas County.

9. Plaintiffs seeks monetary relief over \$250,000 but not more than \$1,000,000. *See Tex. R. Civ. P. 47(c)(3).*

IV. FACTS

10. On August 4, 2022, Plaintiffs attended a concert hosted by Defendants at the Dos Equis Pavilion in Dallas, Texas. Plaintiffs were providing food catering services for one of the sponsors of the event. Plaintiffs were provided special VIP wristbands that allowed Plaintiffs to view the event in a private area. Defendants' security personnel controlled who could enter the VIP area. During the concert, Plaintiff John Gonzalez left the VIP area because Defendants' security personnel would not allow one of Plaintiffs' employees into the VIP area, despite the fact the employee had the appropriate credentials and was in the VIP area minutes prior. Plaintiff John Gonzalez attempted to resolve the issue; however, Defendants' security guards accosted Mr.

Gonzalez and physically assaulted him. While Defendants' employees were assaulting Mr. Gonzalez, Mrs. Gonzalez attempted to intervene and asked for her husband to be released. Defendants' security personnel then physically assaulted Plaintiff Patricia Gonzalez, causing her to sustain injuries to her leg.

V. CAUSES OF ACTION

11. Plaintiffs incorporate by reference the factual allegations contained in the preceding paragraphs.

A. Assault

12. Texas law provides a civil cause of action for victims of assault.¹ A person commits an assault if he intentionally or knowingly causes physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative.²

13. Here, Defendants' employees physically assaulted Plaintiffs during the event in question. As a result, Plaintiffs sustained physically injuries. Defendants are vicariously liable for the conduct of their employees.

B. Negligent Hiring, Retention, and Supervision

14. Defendants failed to adequately investigate and screen its employees prior to hiring. Further, Defendants failed to adequately train and supervise its employees providing security services at Defendants' concerts. Defendants' failure to investigate, screen, train, and supervise its employees proximately caused Plaintiffs' injuries.

¹ See *Umana v. Kroger Tex., L.P.*, 239 S.W.3d 434, 436 (Tex. App.—Dallas 2007, no pet.).

² *Id.* (citing Tex. Pen. Code Ann. § 22.01(a)(3)).

VI. DAMAGES

15. Plaintiffs are entitled to the following damages:

- a. Economic damages;
- b. Mental anguish damages;
- c. Physical impairment;
- d. Physical disfigurement;
- e. Exemplary damages,
- f. Court costs and fees;
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VII. PRAYER

Plaintiffs prays that Defendants be cited to appear and answer, and that on final trial, Plaintiffs be granted a judgment against Defendants for a sum of money in excess of minimum jurisdictional limits of this Court or such other sum which the trier of fact determines is just and fair plus pre and post judgment interest at the maximum legal rate until paid in fully, and for all cost of Court incurred in the prosecution of this action, and for such other and further relief to which Plaintiffs may show themselves justly entitled whether at law or in equity.

Respectfully submitted,

ARNELL LAW, PLLC
450 Century Parkway
Suite 250
Allen, Texas 75013
Telephone: (972) 516-4385

By: /s/ Chris Arnell
Chris Arnell
State Bar No. 24104322
Chris@arnelllaw.com

ATTORNEY FOR PLAINTIFF



Corporate Creations Network Inc.
801 US Highway 1 North Palm Beach, FL 33408

Live Nation Entertainment, Inc.
Kimberly Tobias Senior Vice President Litigation
Live Nation
9348 Civic Center Drive
Beverly Hills CA 90210

July 22, 2024

SERVICE OF PROCESS NOTICE

The following is a courtesy summary of the enclosed document(s). **ALL information should be verified by you.**

Item: 2024-848

Note: Any questions regarding the substance of the matter described below, including the status or how to respond, should be directed to the contact set forth in line 12 below or to the court or government agency where the matter is being heard. **IMPORTANT:** All changes or updates to the SOP contact individuals or their contact information must be submitted in writing to SOPcontact@corpcreations.com. Any changes will become effective upon written confirmation of Corporate Creations.

1.	Entity Served:	Live Nation Entertainment, Inc.
2.	Title of Action:	Patricia Gonzalez, et al vs. Live Nation Worldwide, et al
3.	Document(s) Served:	Citation Officer's Return Plaintiff's Original Petition
4.	Court/Agency:	Dallas County District Court
5.	State Served:	Texas
6.	Case Number:	DC-24-09975
7.	Case Type:	Battery/Assault
8.	Method of Service:	Hand Delivered
9.	Date Received:	Friday 07/19/2024
10.	Date to Client:	Monday 07/22/2024
11.	# Days When Answer Due: Answer Due Date:	See Notes <small>CAUTION: Client is solely responsible for verifying the accuracy of the estimated Answer Due Date. To avoid missing a crucial deadline, we recommend immediately confirming in writing with opposing counsel that the date of the service in their records matches the Date Received.</small>
12.	Sop Sender: (Name, City, State, and Phone Number)	Christopher J. Arnell Allen, TX 972-516-4385
13.	Shipped To Client By:	Email Only with PDF Link
14.	Tracking Number:	
15.	Handled By:	441
16.	Notes:	Please review the enclosed documents in order to calculate the response due date.

NOTE: This notice and the information above is provided for general informational purposes only and should not be considered a legal opinion. The client and their legal counsel are solely responsible for reviewing the service of process and verifying the accuracy of all information. At Corporate Creations, we take pride in developing systems that effectively manage risk so our clients feel comfortable with the reliability of our service. We always deliver service of process so our clients avoid the risk of a default judgment. As registered agent, our role is to receive and forward service of process. To decrease risk for our clients, it is not our role to determine the merits of whether service of process is valid and effective. It is the role of legal counsel to assess whether service of process is invalid or defective. Registered agent services are provided by Corporate Creations Network Inc.

FORM NO. 353-3—CITATION
THE STATE OF TEXAS

To: LIVE NATION ENTERTAINMENT, INC.
REGISTERED AGENT CORORATE CREATIONS NETWORK INC
5444 WESTHEIMER # 1000
HOUSTON TX 77056

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org. Your answer should be addressed to the clerk of the **134th District Court** at 600 Commerce Street, Dallas, Texas 75202.

Said Plaintiff being **PATRICIA GONZALEZ; JOHN GONZALEZ**

Filed in said Court **8th day of July, 2024** against

LIVE NATION WORLDWIDE, INC.; LIVE NATION ENTERTAINMENT, INC.

For Suit, said suit being numbered **DC-24-09975**, the nature of which demand is as follows:
Suit on **OTHER PERSONAL INJURY** etc. as shown on said petition, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office **on this the 16th day of July, 2024**

ATTEST: FELICIA PITRE,
Clerk of the District Courts of Dallas County, Texas

By *Brittany Foreman*, Deputy
BRITTANY FOREMAN

ESERVE
CITATION

No.: **DC-24-09975**

PATRICIA GONZALEZ, et al
vs.
LIVE NATION WORLDWIDE, INC., et al

ISSUED
on this the 16th day of July, 2024

FELICIA PITRE
Clerk District Courts,
Dallas County, Texas

By: **BRITTANY FOREMAN**, Deputy

Attorney for Plaintiff
CHRISTOPHER J ARNELL
450 CENTURY PKWY STE 250
ALLEN TX 75013-8136
972-516-4385
CHRIS@ARNELLAW.COM

DALLAS COUNTY
SERVICE FEES
NOT PAID



OFFICER'S RETURN

Cause No. DC-24-09975

Court No.: 134th District Court

Style: PATRICIA GONZALEZ, et al

vs.

LIVE NATION WORLDWIDE, INC., et al

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o'clock _____. M. on the _____ day of _____, 20_____, by delivering to the within named

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation	\$ _____	of _____ County, _____
For mileage	\$ _____	By _____ Deputy
For Notary	\$ _____	

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____,
20_____, to certify which witness my hand and seal of office.

Notary Public _____ County _____

DC-24-09975
CAUSE NO. _____

**PATRICIA GONZALEZ, and JOHN
GONZALEZ**

IN THE DISTRICT COURT

Plaintiffs,

v.

DALLAS COUNTY, TEXAS

**LIVE NATION WORLDWIDE, INC., and
LIVE NATION ENTERTAINMENT, INC.**

Defendants.

____ JUDICIAL DISTRICT

Plaintiffs' Original Petition

Patricia Gonzalez and John Gonzalez (“Plaintiffs”) file their Original Petition against Live Nation Worldwide, Inc. and Live Nation Entertainment, Inc., (“Defendants”) and in support thereof would show the Court as follows:

I. DISCOVERY CONTROL PLAN AND JURY REQUEST

1. Plaintiffs intends to conduct discovery under Level 2 pursuant Texas Rules of Civil Procedure 190.3. Plaintiffs also requests a jury trial in this Cause.

II. PARTIES

2. Plaintiff Patricia Gonzalez is an individual residing in Tarrant County, Texas.
3. Plaintiff John Gonzalez is an individual residing in Tarrant County, Texas.
4. Defendant Live Nation Worldwide, Inc. is a foreign entity organized under the laws of Delaware. Defendant can be served via its registered agent, CORPORATE CREATIONS

NETWORK INC., at 5444 WESTHEIMER, #1000, HOUSTON, TX 77056.

5. Defendant Live Nation Entertainment, Inc., is a foreign entity organized under the laws of Delaware. Defendant can be served via its registered agent, CORPORATE CREATIONS NETWORK INC., at 5444 WESTHEIMER, #1000, HOUSTON, TX 77056.

III. JURISDICTION AND VENUE

6. This Court has jurisdiction over the subject matter of this case because the amount in controversy exceeds this Court's minimum jurisdictional requirements.

7. This Court has personal jurisdiction over the Defendants because Defendants conducted business in this state by providing entertainment services in Dallas County and throughout Texas.

8. Venue for this case is proper in Dallas County, Texas because all or a substantial part of the events or omissions giving rise to the claim occurred in Dallas County.

9. Plaintiffs seeks monetary relief over \$250,000 but not more than \$1,000,000. *See* Tex. R. Civ. P. 47(c)(3).

IV. FACTS

10. On August 4, 2022, Plaintiffs attended a concert hosted by Defendants at the Dos Equis Pavilion in Dallas, Texas. Plaintiffs were providing food catering services for one of the sponsors of the event. Plaintiffs were provided special VIP wristbands that allowed Plaintiffs to view the event in a private area. Defendants' security personnel controlled who could enter the VIP area. During the concert, Plaintiff John Gonzalez left the VIP area because Defendants' security personnel would not allow one of Plaintiffs' employees into the VIP area, despite the fact the employee had the appropriate credentials and was in the VIP area minutes prior. Plaintiff John Gonzalez attempted to resolve the issue; however, Defendants' security guards accosted Mr.

Gonzalez and physically assaulted him. While Defendants' employees were assaulting Mr. Gonzalez, Mrs. Gonzalez attempted to intervene and asked for her husband to be released. Defendants' security personnel then physically assaulted Plaintiff Patricia Gonzalez, causing her to sustain injuries to her leg.

V. CAUSES OF ACTION

11. Plaintiffs incorporate by reference the factual allegations contained in the preceding paragraphs.

A. Assault

12. Texas law provides a civil cause of action for victims of assault.¹ A person commits an assault if he intentionally or knowingly causes physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative.²

13. Here, Defendants' employees physically assaulted Plaintiffs during the event in question. As a result, Plaintiffs sustained physically injuries. Defendants are vicariously liable for the conduct of their employees.

B. Negligent Hiring, Retention, and Supervision

14. Defendants failed to adequately investigate and screen its employees prior to hiring. Further, Defendants failed to adequately train and supervise its employees providing security services at Defendants' concerts. Defendants' failure to investigate, screen, train, and supervise its employees proximately caused Plaintiffs' injuries.

¹ See *Umana v. Kroger Tex., L.P.*, 239 S.W.3d 434, 436 (Tex. App.—Dallas 2007, no pet.).

² *Id.* (citing Tex. Pen. Code Ann. § 22.01(a)(3)).

VI. DAMAGES

15. Plaintiffs are entitled to the following damages:

- a. Economic damages;
- b. Mental anguish damages;
- c. Physical impairment;
- d. Physical disfigurement;
- e. Exemplary damages,
- f. Court costs and fees;
- g. Prejudgment and postjudgment interests; and

VII. PRAYER

Plaintiffs prays that Defendants be cited to appear and answer, and that on final trial, Plaintiffs be granted a judgment against Defendants for a sum of money in excess of minimum jurisdictional limits of this Court or such other sum which the trier of fact determines is just and fair plus pre and post judgment interest at the maximum legal rate until paid in full, and for all cost of Court incurred in the prosecution of this action, and for such other and further relief to which Plaintiffs may show themselves justly entitled whether at law or in equity.

Respectfully submitted,

ARNELL LAW, PLLC
450 Century Parkway
Suite 250
Allen, Texas 75013
Telephone: (972) 516-4385

By: /s/ Chris Arnell
Chris Arnell
State Bar No. 24104322
Chris@arnelllaw.com

ATTORNEY FOR PLAINTIFF

FORM NO. 353-3—CITATION
THE STATE OF TEXAS

To: LIVE NATION WORLDWIDE, INC.
REGISTERED AGENT CORORATE CREATIONS NETWORK INC
5444 WESTHEIMER # 1000
HOUSTON TX 77056

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org. Your answer should be addressed to the clerk of the 134th District Court at 600 Commerce Street, Dallas, Texas 75202.

Said Plaintiff being **PATRICIA GONZALEZ; JOHN GONZALEZ**

Filed in said Court **8th day of July, 2024** against

LIVE NATION WORLDWIDE, INC.; LIVE NATION ENTERTAINMENT, INC.

For Suit, said suit being numbered **DC-24-09975**, the nature of which demand is as follows:

Suit on **OTHER PERSONAL INJURY** etc. as shown on said petition, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.

Given under my hand and the Seal of said Court at office **on this the 16th day of July, 2024**

ATTEST: FELICIA PITRE,
Clerk of the District Courts of Dallas County, Texas

By *Brittany Foreman*, Deputy
BRITTANY FOREMAN

50

ESERVE
CITATION

No.: **DC-24-09975**

PATRICIA GONZALEZ, et al
vs.
LIVE NATION WORLDWIDE, INC., et al

ISSUED
on this the 16th day of July, 2024

FELICIA PITRE
Clerk District Courts,
Dallas County, Texas

By: **BRITTANY FOREMAN**, Deputy

Attorney for Plaintiff
CHRISTOPHER J ARNELL
450 CENTURY PKWY STE 250
ALLEN TX 75013-8136
972-516-4385
CHRIS@ARNELLAW.COM

DALLAS COUNTY
SERVICE FEES
NOT PAID



OFFICER'S RETURN

Cause No. DC-24-09975

Court No.: 134th District Court

Style: PATRICIA GONZALEZ, et al

vs.
LIVE NATION WORLDWIDE, INC., et al

Came to hand on the 18th day of July, 2024, at 11:44 o'clock AM.
Executed at 5444 Westheimer #100 Houston TX 77027, within the County of Harris at 4:15
o'clock PM. M. on the 1st day of July, 2024, by delivering to the within named
Live Nation Entertainment Inc. BIS Co-Proc. Coordinators Reg Agent

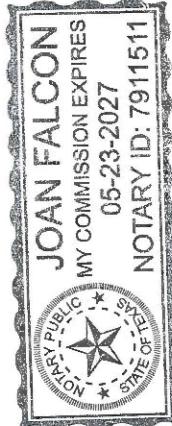
each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation	\$ _____	<u>LaKeisha Smith</u>	<u>14892</u>
For mileage	\$ _____	of <u>Harris</u> County, <u>Texas</u>	
For Notary	\$ _____	By <u>LaKeisha Smith</u>	Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said LaKeisha Smith before me this 19 day of July,
2024, to certify which witness my hand and seal of office.

Joan Falcon
Notary Public Harris County Texas



Automated Certificate of eService

This automated certificate of service was created by the efilings system. The filer served this document via email generated by the efilings system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 90064323

Filing Code Description: Return Of Service

Filing Description: EXECUTED CITATION - LIVE NATION WORLDWIDE, INC.

Status as of 7/25/2024 12:10 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Francine Ly		fly@dallascourts.org	7/23/2024 9:37:20 AM	SENT
Chris Arnell		chris@arnelllaw.com	7/23/2024 9:37:20 AM	SENT
Giao Arnell		giao@arnelllaw.com	7/23/2024 9:37:20 AM	SENT

LNW.16570

CAUSE NO. DC-24-09975

**PATRICIA GONZALEZ AND JOHN
GONZALEZ,
*Plaintiffs,***

V.

**LIVE NATION WORLDWIDE, INC.,
AND LIVE NATION
ENTERTAINMENT, INC.,
*Defendants.***

DEFENDANTS' ORIGINAL ANSWER

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, **LIVE NATION WORLDWIDE, INC., AND LIVE NATION ENTERTAINMENT, INC.**, Defendants in the above entitled and numbered cause, and file this, their Original Answer, and for same would respectfully show unto the Court as follows:

I. **GENERAL DENIAL**

Defendants deny each and every, all and singular, the material allegations contained within Plaintiffs' pleadings and demand strict proof thereof.

II.
JURY DEMAND

In accordance with Rule 216 of the Texas Rules of Civil Procedure, Defendants demand a trial by jury. Simultaneously with the filing of this demand, a jury fee is being paid on behalf of Defendants.

WHEREFORE, PREMISES CONSIDERED, Defendants, LIVE NATION WORLDWIDE, INC., AND LIVE NATION ENTERTAINMENT, INC., pray that the Plaintiffs take nothing by this suit, that Defendants go hence with their costs without delay, and

for all other relief, both general and special, at law and in equity, to which Defendants may show themselves justly entitled.

Respectfully submitted,

FEE, SMITH & SHARP, L.L.P.

/s/ Thomas W. Fee _____

THOMAS W. FEE
State Bar No. 06873160
MARC D. MADRIGAL
State Bar No. 24115011
Three Galleria Tower
13155 Noel Road, Suite 1000
Dallas, Texas 75240
(972) 934-9100 – Phone
(972) 934-9200 – Fax
tfee@feesmith.com
mmadrigal@feesmith.com

ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

This will certify that a true and correct copy of the foregoing instrument has been forwarded to all attorneys of record in this cause of action, in accordance with the Texas Rules of Civil Procedure on August 5, 2024.

/s/ Thomas W. Fee _____

THOMAS W. FEE

Automated Certificate of eService

This automated certificate of service was created by the efilng system. The filer served this document via email generated by the efilng system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Leslie Parks on behalf of Thomas Fee
Bar No. 06873160
lparks@feesmith.com
Envelope ID: 90522891
Filing Code Description: Original Answer - General Denial
Filing Description: JURY
Status as of 8/5/2024 1:36 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Francine Ly		fly@dallascourts.org	8/5/2024 10:17:54 AM	SENT
Chris Arnell		chris@arnelllaw.com	8/5/2024 10:17:54 AM	SENT
Giao Arnell		giao@arnelllaw.com	8/5/2024 10:17:54 AM	SENT

Associated Case Party: LIVE NATION WORLDWIDE, INC.

Name	BarNumber	Email	TimestampSubmitted	Status
Thomas W.Fee		tfee@feesmith.com	8/5/2024 10:17:54 AM	SENT
Marc Madrigal		mmadrigal@feesmith.com	8/5/2024 10:17:54 AM	SENT

Case Information

DC-24-09975 | PATRICIA GONZALEZ, et al vs. LIVE NATION WORLDWIDE, INC., et al

Case Number	Court	Judicial Officer
DC-24-09975	134th District Court	TILLERY, DALE
File Date	Case Type	Case Status
07/08/2024	OTHER PERSONAL INJURY	OPEN

Party

PLAINTIFF
GONZALEZ, PATRICIA

Active Attorneys ▾
Lead Attorney
ARNELL, CHRISTOPHER J
Retained

PLAINTIFF
GONZALEZ, JOHN

Active Attorneys ▾
Lead Attorney
ARNELL, CHRISTOPHER J
Retained

DEFENDANT
LIVE NATION WORLDWIDE, INC.

Active Attorneys ▾
Lead Attorney
FEE, THOMAS W.
Retained

DEFENDANT
LIVE NATION ENTERTAINMENT, INC.

Active Attorneys ▾
Lead Attorney
FEE, THOMAS W.

Events and Hearings

07/08/2024 NEW CASE FILED (OCA) - CIVIL

07/08/2024 ORIGINAL PETITION ▾

ORIGINAL PETITION

07/08/2024 ISSUE CITATION ▾

ISSUE CITATION LIVE NATION ENTERTAINMENT , INC

ISSUE CITATION LIVE NATION WORLDWIDE, INC

07/16/2024 CITATION ▾

Served

07/19/2024

Anticipated Server

ESERVE

Anticipated Method

Actual Server

OUT OF COUNTY

Returned

07/23/2024

Comment

LIVE NATION WORLDWIDE, INC

07/16/2024 CITATION ▾

Served

07/19/2024

Anticipated Server

ESERVE

Anticipated Method

Actual Server

ESERVE

Returned

07/23/2024

Comment

LIVE NATION ENTERTAINMENT, INC.

07/17/2024 NOTICE OF DISMISSAL FOR WANT OF PROSECUTION

07/23/2024 RETURN OF SERVICE ▾

Comment

EXECUTED CITATION - LIVE NATION ENTERTAINMENT, INC.

07/23/2024 RETURN OF SERVICE ▾

EXECUTED CITATION - LIVE NATION WORLDWIDE, INC.

Comment

EXECUTED CITATION - LIVE NATION WORLDWIDE, INC.

08/05/2024 ORIGINAL ANSWER - GENERAL DENIAL ▾

ORIGINAL ANSWER

08/05/2024 JURY DEMAND ▾

JURY DEMAND FORM

09/13/2024 DISMISSAL FOR WANT OF PROSECUTION ▾

Judicial Officer

TILLERY, DALE

Hearing Time

10:00 AM

Cancel Reason

BY COURT ADMINISTRATOR

Financial

GONZALEZ, PATRICIA

Total Financial Assessment

\$366.00

Total Payments and Credits

\$366.00

7/8/2024	CREDIT CARD - TEXFILE (DC)	Receipt # 45573-2024- DCLK	GONZALEZ, PATRICIA	(\$229.00)
7/8/2024	STATE CREDIT			(\$137.00)
LIVE NATION WORLDWIDE, INC.				
	Total Financial Assessment			\$10.00
	Total Payments and Credits			\$10.00
8/5/2024	Transaction Assessment			\$10.00
8/5/2024	CREDIT CARD - TEXFILE (DC)	Receipt # 52417- 2024-DCLK	LIVE NATION WORLDWIDE, INC.	(\$10.00)

Documents

ORIGINAL PETITION
ISSUE CITATION LIVE NATION ENTERTAINMENT , INC
ISSUE CITATION LIVE NATION WORLDWIDE, INC
EXECUTED CITATION - LIVE NATION WORLDWIDE, INC.
ORIGINAL ANSWER
JURY DEMAND FORM